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| International Additionation No. | _ | FC1/EF2004/013307 |

International Filing Date : 26 November 2004 (26.11.2004)

Priority Date(s) Claimed : 16 December 2003 (16.12.2003)

Applicant(s) (DO/EO/US) : MEDERSKI, Werner et al.

Title: PROLINYLARYLACETAMIDES

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

## Timing and Fees

| $\boxtimes$ |             | 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information sure statement is filed:                                                                   |
|-------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|             |             | within three months of the filing date of a national application other than a CPA under § 1.53(d);                                                                          |
|             | $\boxtimes$ | within three months of the actual filing date of the national phase of a PCT application; OR                                                                                |
|             |             | before the mailing of a first substantive office action (including after filing of an RCE).                                                                                 |
|             |             | 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods ted in 37 C.F.R. § 1.97(b), but before the mailing date of:                           |
|             |             | a final rejection under 37 C.F.R. 1.113;<br>termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR<br>a notice of allowance under 37 C.F.R. § 1.311; and |

|        |             | is acco  | ompanied by:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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|        |             |          | the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR                                                                                                                                                                                                                                                                                                                                                                                                                          |
|        |             |          | a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).                                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |             |          | R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:                                                                                                                                                                                                                                                                                                                                                                 |
|        |             | a final  | action under 37 C.F.R. § 1.113;                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |             | termin   | ation of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);                                                                                                                                                                                                                                                                                                                                                                                                                             |
|        |             | OR a ı   | notice of allowance under 37 C.F.R. § 1.311;                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        | AND         | is filed | on or before payment of the issue fee; AND is accompanied by:                                                                                                                                                                                                                                                                                                                                                                                                                                |
|        |             |          | tement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of 00 under 37 C.F.R. § 1.17(p).                                                                                                                                                                                                                                                                                                                                                                                  |
| Staten | nents U     | nder 37  | C.F.R. 1.97(e)                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|        |             |          | Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or                                                                                                                                                                                            |
|        |             |          | No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement. |
| Cited  | Materia     | ls       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |             | ancest   | or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).                                                                                                                                                                                                                                                                                                                                                                                 |
|        | $\boxtimes$ | -        | s of materials listed but not attached were cited in an international search dated May 17, 2005.                                                                                                                                                                                                                                                                                                                                                                                             |
|        |             | Not re   | quired by 37 CFR § 1.98.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|        |             | Copie    | s of the materials listed are attached (except for the foregoing).                                                                                                                                                                                                                                                                                                                                                                                                                           |

| Non-E | <u>English l</u> | Language References                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       |                  | An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).                                                                                                                                                                                                                                                                                                                                                                                            |
|       | $\boxtimes$      | A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:                                                                                                                                                                                                                                                                                                                                                                                                            |
|       |                  | <ul> <li>X = document of particular relevance when it is taken alone</li> <li>Y = document of particular relevance when it is combined with another such document</li> <li>A = document defining the general state of the art</li> </ul>                                                                                                                                                                                                                                                                                                      |
|       |                  | O = non-written disclosure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|       |                  | <ul> <li>P = intercalated document</li> <li>T = document cited to understand the theory or principle underlying the invention</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                      |
|       |                  | E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date                                                                                                                                                                                                                                                                                                                                                                                                    |
|       |                  | D = cited in the application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|       |                  | L = cited for another reason<br>& = publication of member of same patent family                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|       | $\boxtimes$      | Translation of other relevant information on foreign search report                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|       |                  | In the search report, "Seite" means page, "Seiten" means pages, "Verbindungen der Formel" means Figure of formula, "Beispele" means examples, and "das ganze Dokument" means the entire document, "Spalte" means column, "Zeile" means line, "Abbildungen" means claims, "Anspruch" means example, "Zusammenfassung" means summary, and "Tabelle" means table, and "Tabellen" means tables "in der Anmeldung erwaehnt" means cited in the application, "Schema" means scheme, "und" means and, "Absatz" means break, "Abildung" means figure. |
| -     |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Other | Informa          | <u>ition</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Pavme | ent of Fe        | ees Due (If Any):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|       |                  | ck for \$ covering the fee identified above is attached.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|       | Please           | charge to Deposit Account No. 13-3402 \$ for the fee identified above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Anthony Zelaro, Reg. No. 27,969

Attorney for Applicants

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Attorney Docket No.: MERCK-3190

Date: June 15, 2006

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|            |                    |        |            | Application Number     | Unassigned             |
| INFO       | RMATION            | DIS    | CLOSURE    | Filing Date            | June 15, 2006          |
| STAT       | <b>LEWENT B</b>    | Y AI   | PPLICANT   | First Named Inventor   | Werner MEDERSKI et al. |
|            |                    |        |            | Group Art Unit         | Unassigned             |
|            | (use as many she   | ets as | necessary) | Examiner Name          | Unassigned             |
| Sheet      | 1                  | of     | 1          | Attorney Docket Number | MERCK-3190             |

|                        | U.S. PATENT DOCUMENTS |                                                                         |  |                                                                         |                                                   |  |  |
|------------------------|-----------------------|-------------------------------------------------------------------------|--|-------------------------------------------------------------------------|---------------------------------------------------|--|--|
| Examiner<br>Initials * | Cite No.1             | U.S. Patent Document  Kind Code <sup>2</sup> Number ( <i>if known</i> ) |  | <ul> <li>Name of Patentee or Applicant<br/>of Cited Document</li> </ul> | Date of Publication of Cited Document  MM-DD-YYYY |  |  |
|                        | 1                     | 2003162787                                                              |  |                                                                         | August 28, 2003                                   |  |  |
|                        |                       |                                                                         |  |                                                                         |                                                   |  |  |
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|                    |           | Foreign Patent Document |                     |                                      |                                                    | Date of Publication of       | Pages, Columns, Lines,<br>Where Relevant |                |
|--------------------|-----------|-------------------------|---------------------|--------------------------------------|----------------------------------------------------|------------------------------|------------------------------------------|----------------|
| Examiner Initials* | Cite No.1 | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) | Name of Patentee or Applicant of<br>Cited Document | Cited Document<br>MM-DD-YYYY | Passages or Relevant<br>Figures Appear   | T <sup>6</sup> |
|                    | 2         | wo                      | 03045912            |                                      | Warner-Lambert<br>Company LLC                      | June 5, 2003                 |                                          | Equv to cite   |
|                    | 3         | wo                      | 2004087696          |                                      | Merck Patent GmbH                                  | October 14, 2004             |                                          |                |
|                    | 4         | wo                      | 2004087646          |                                      | Merck Patent GmbH                                  | October 14, 2004             |                                          |                |
|                    |           |                         |                     | <u> </u>                             |                                                    |                              |                                          |                |
|                    |           |                         |                     | <u> </u>                             |                                                    |                              |                                          |                |
|                    |           |                         |                     |                                      |                                                    |                              |                                          |                |

| Examiner<br>Signature | Date<br>Considered |  |
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.